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C O N F I D E N T I A L SECTION 01 OF 02 NAIROBI 005078

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SUBJECT: THANKS, BUT NO THANKS: CABINET NOMINEES DECLINE

REF: NAIROBI 5073

Classified By: A/Political Counselor Lisa Peterson for reasons 1.4 (b,d)  
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1. (C) Although President Kibaki met his self-imposed two week deadline for announcing a new cabinet (reftel), Kenya's government is still incomplete, with twenty-one nominees declining their appointments. Within moments of the President's announcement on December 7, ten appointees turned Kibaki down, and by afternoon on December 8, eleven more, including four full ministers, had passed up their job offers. The list of those who have said "no thanks" to Kibaki is diverse, with nominees from five parties opting out of the cabinet, but they have in common one of two basic reasons for saying no: they are either disappointed with the process (e.g. LDP members), or disaffected with Kibaki personally. END SUMMARY.

OUT OF THE LINEUP  
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2. (C) Within moments of Kibaki's December 7 speech detailing his new cabinet lineup, ten nominated assistant ministers declined to accept the President's offer. They are:

- Joseph Nkaiserry, Assistant Minister for Petroleum (KANU)
- Samuel Moroto, Assistant Minister for Public Health (KANU)
- David Sudi, Assistant Minister for Manpower Management (KANU)
- Peter Odoyo, Assistant Minister for Home Affairs (Liberal Democratic Party, LDP)
- William Boit, Assistant Minister for Agriculture (KANU)
- David Were, Assistant Minister for Communications (Ford-P)
- Mwangi Kiunjuri, Assistant Minister for Electricity (National Alliance Party, NAK)
- Paul Sang, Assistant Minister for Communications (Ford-P)
- Zaddock Syongoh, Assistant Minister for Financial Management Affairs (LDP)
- Soita Shitanda, Assistant Minister of State for Special Programs (Ford-K)

By afternoon on December 8, eleven more nominees, including four full ministers, had also refused their positions:

- Moses Akaranga, Minister of State for Public Service (NAK)
- Musikari Kombo, Minister for Local Government (Ford-K)
- Orwa Ojodeh, Minister for Environment and Natural Resources (LDP)
- Charity Ngilu, Minister for Health (NAK)
- Kivutha Kibwana, Assistant Minister for Justice and Constitutional Affairs (NAK)
- Stephen Tarus, Assistant Minister for County Councils (Ford-K)
- Noah Wekesa, Assistant Minister for Livestock Development (Ford-K)
- Moses Wetangula, Assistant Minister for International Affairs (Ford-K)
- Joseph Nyagah, Assistant Minister for East African Community (NAK)
- John Munyes, Assistant Minister for Water Resources (Ford-K)
- Stephen Ole Ntutu, Assistant Minister for Natural Resources (KANU)

Of the twenty-one appointees to turn Kibaki down, only three are from the Central Province/Mount Kenya (GEMA) region, further concentrating the distinctly ethnic tint of the cabinet (reftel). The nominees who have so far declined cabinet positions represent five political parties, and Ngilu's refusal leaves just one woman full minister: Kikuyu partisan Martha Karua.

3. (C) Many of the first group to turn down the offer were acting in accordance with the publicly stated KANU and LDP positions: no individual members should take a cabinet post because the parties had not been consulted in the selection process. (COMMENT: This may have taken Kibaki and his advisors by surprise, as their strategy was almost certainly to draw in lower level members of these parties with the temptation of ministerial perks. In so doing, they would be able to claim party diversity and therefore a unity cabinet, while at the same time dividing the opposition parties. END COMMENT.)

14. (C) The only concerted party-wide defection from the new Kibaki cabinet came from Ford-K. The party stated shortly after the new cabinet was unveiled that they would meet on December 8 to discuss its participation. Following the meeting, all but three nominated ministers and assistant ministers -- Moses Akaranga, Minister of State for Public Service; Newton Kulundu, Minister for Labor; and Mukhisa Kituyi, Minister for Trade and Industry -- participated in a party press event announcing they would not accept their nominations. Subsequent unconfirmed media reports indicated that Akaranga and Kulundu joined their party, leaving Kituyi as the sole Ford-K member in cabinet. The root of Ford-K's refusal to join cabinet is two-fold, and not necessarily based on objections to the manner of selection or lack of inclusivity. The organization is still smarting from being passed over for the vice-presidency in 2003. Following that slight, and energetic participation in the "Yes" campaign for the constitution, the party expected to be more handsomely rewarded, including with the VP position, when the new cabinet was announced on December 7.

KIUNJURI: THE "YES" WHO SAID NO

15. (C) A surprising "no, thank you" came from Kibaki supporter and fellow Kikuyu Mwangi Kiunjuri, who was reappointed to his former position of Assistant Minister for Energy. An ethnic Kikuyu who fought hard on Kibaki's side during the referendum debate, Kiunjuri is a young (36 years old) MP from Laikipia East, just outside Central Province. He likely turned down the president's offer in protest: he considers himself a loyalist on par with "Yes" campaigners Mutahi Kagwe and Maina Kamanda, who were offered full ministerships. By contrast, his assistant minister position was diminished, as a new portfolio specifically dealing with petroleum was created and offered to Nkaisserly (who, as a Maasai, would have brought both ethnic and party diversity to the cabinet, had he accepted the offer). A 2000 participant in the I.V. African Leaders Program, Kiunjuri in a 2001 interview denied that the Central Province group of MPs was a tribal association, asserting instead that it was a "political association of people with similar interests."

COMMENT

16. (C) With more than one quarter of his new cabinet seats voluntarily vacated, Kibaki must consider why so many of his selections have declined the offer. There is the distinct possibility that the president chose names without securing a commitment from the individuals to serve. That these nominees have turned down substantial economic opportunities demonstrates the degree of sentiment against Kibaki and his coterie at the moment, and the degree to which his actions further unify the opposition. The stance of the first principled few has prompted a snowball effect that is truly damaging to the Kibaki administration. While Charity Ngilu publicly attributed her rejection of her appointment to flaws in the process, saying it was not sufficiently consultative, it is equally likely she made a calculated political decision to abandon a sinking ship. Her departure, particularly when one considers the number of benefits she demanded and received in exchange for support for the "Yes" campaign, is a stunning blow to Kibaki. END COMMENT.

BELLAMY